

4339

2013-2014 Regular Sessions

I N A S S E M B L Y

February 4, 2013

Introduced by M. of A. PERRY -- read once and referred to the Committee
on Transportation

AN ACT to amend the vehicle and traffic law and the state finance law,
in relation to issuing "West Indian American Day Carnival" distinctive
license plates

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 404-x to read as follows:
3 S 404-X. DISTINCTIVE "WEST INDIAN AMERICAN DAY CARNIVAL" LICENSE
4 PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE
5 ISSUED A DISTINCTIVE "WEST INDIAN AMERICAN DAY CARNIVAL" LICENSE PLATE
6 OF A DESIGN APPROVED BY THE COMMISSIONER. APPLICATION FOR SUCH LICENSE
7 PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS
8 THE COMMISSIONER SHALL PRESCRIBE.
9 2. A DISTINCTIVE "WEST INDIAN AMERICAN DAY CARNIVAL" LICENSE PLATE
10 ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS
11 OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE
12 PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEV-
13 ER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS
14 SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL SERVICE CHARGE SHALL BE
15 DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-OO OF
16 THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINC-
17 TIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINETY-FIVE-G OF THE
18 STATE FINANCE LAW AND SHALL BE USED FOR THE PRODUCTION, DESIGN, ADVER-
19 TISING AND MARKETING OF DISTINCTIVE LICENSE PLATES PURSUANT TO SUCH
20 SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES
21 COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE
22 CREDIT OF THE "WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION FUND"
23 ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE
24 LAW AND SHALL BE USED IN SUPPORT OF THE ANNUAL WEST INDIAN AMERICAN DAY

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 PARADE AND CARNIVAL PRODUCED BY THE WEST INDIAN AMERICAN DAY CARNIVAL
2 ASSOCIATION, A NOT-FOR-PROFIT CORPORATION ORGANIZED AND OPERATED UNDER
3 THE LAWS OF THIS STATE PURSUANT TO SUCH SECTION NINETY-SEVEN-LLLL. SUCH
4 DEPOSITS SHALL NOT BE USED TO REPLACE, OFFSET, OR SUPPLANT ANY EXISTING
5 FUNDING OF SUCH ASSOCIATION, BUT SHALL BE IN ADDITION THERETO.

6 S 2. The state finance law is amended by adding a new section 97-1111
7 to read as follows:

8 S 97-LLLL. WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION FUND. 1.
9 THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMP-
10 TROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A FUND TO BE KNOWN
11 AS THE WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION FUND.

12 2. SUCH FUND SHALL CONSIST OF ALL MONEYS COLLECTED PURSUANT TO SECTION
13 FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW, AND ALL OTHER MONEYS
14 CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT
15 TO LAW, PROVIDED THAT SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND
16 TRAFFIC LAW SHALL CONTROL THE METHOD OF PAYMENT FOR THE COSTS OF PRODUC-
17 ING THE DISTINCTIVE LICENSE PLATES AUTHORIZED PURSUANT TO SUCH SECTION
18 OF LAW.

19 3. MONEYS OF THE FUND SHALL BE EXPENDED ONLY FOR THE ACTUAL COSTS OF
20 PRODUCING THE ANNUAL WEST INDIAN AMERICAN DAY PARADE AND CARNIVAL BY THE
21 WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION, EXCLUSIVE OF ADMINISTRA-
22 TIVE EXPENSES. MONEYS SHALL BE PAID OUT OF THE FUND ON THE AUDIT AND
23 WARRANT OF THE STATE COMPTROLLER ON VOUCHERS APPROVED BY THE GENERAL
24 SECRETARY OF THE WEST INDIAN AMERICAN DAY CARNIVAL ASSOCIATION. ANY
25 INTEREST RECEIVED BY THE COMPTROLLER ON MONEYS ON DEPOSIT IN THE WEST
26 INDIAN AMERICAN DAY CARNIVAL ASSOCIATION FUND SHALL BE RETAINED IN AND
27 BECOME PART OF SUCH FUND. NO MONEY FROM SUCH FUND MAY BE WITHDRAWN,
28 TRANSFERRED, OR USED BY ANY PERSON FOR ANY PURPOSE OTHER THAN AS PERMIT-
29 TED BY THIS SECTION.

30 S 3. This act shall take effect on the one hundred eightieth day after
31 it shall have become a law. Any rules and regulations required to imple-
32 ment the foregoing provisions of this act shall be promulgated on or
33 before such date.